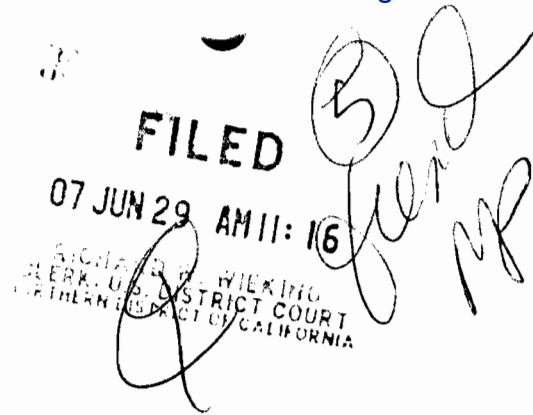


GREGORY M. FOX, Esq. SBN 070876
ARLENE C. HELFRICH, Esq., SBN 96461
BERTRAND, FOX & ELLIOT
2749 Hyde Street
San Francisco, CA 94109
Telephone: (415) 353-0999
Facsimile: (415) 353-0990

LYNN TRACY NERLAND Esq., SBN 148609
CITY ATTORNEY
CITY OF ANTIOCH
City Attorney's Office
P.O. Box 5007
Antioch, CA 94531-5007
Telephone: 925. 779.7015
Facsimile: 925.779.7003

Attorneys for Defendants CITY OF ANTIOCH
And ANTIOCH POLICE DEPARTMENT



E-filing

EDL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF THE STATE OF CALIFORNIA

CLAIM OF HAMPTON, MOJUKHAN

Plaintiff,

vs.

CITY OF ANTIOCH, ANTIOCH POLICE
DEPARTMENT and DOES POLICE
OFFICERS 1-3.

Defendants.

Case No.: C

**NOTICE OF REMOVAL OF CONTRA
COSTA COUNTY SUPERIOR COURT
ACTION NO. C-07-00516 UNDER 28 U.S.C.
1441(B) [Federal Question]**

TO THE CLERK OF THE NORTHERN DISTRICT UNITED STATES DISTRICT

COURT: PLEASE TAKE NOTICE THAT DEFENDANTS CITY OF ANTIOCH AND
ANTIOCH POLICE DEPARTMENT HEREBY REMOVE TO THIS COURT THE STATE
COURT ACTION DESCRIBED BELOW:

1. On March 9, 2007, Action Number C 07 00516 was commenced in the Contra Costa County Superior Court captioned "Claim of Hampton, Mojukhan against City of Antioch, Antioch Police Department and Does Police Officers 1-3." A true copy of plaintiff's complaint is attached hereto as Exhibit "A".
2. The first date upon which the Defendants City of Antioch and Antioch Police Department were served with the summons and complaint was May 31, 2007.
3. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C 1331 and is one which may be removed to this Court by defendants pursuant to 28 U.S.C. 1441(b) in that it arises under plaintiff pro se claims that he was subjected to "false imprisonment" which is construed as a claim under the Fourth Amendment to the United States Constitution and "held without due process of law" which is construed as a claim under the Fourteenth Amendment and plaintiff further seeks monetary damages which are recoverable under 42 U.S.C. 1983.

Dated: June 27 2007

BERTRAND, FOX & ELLIOT

By: 

Gregory M. Fox
Attorney for Defendants CITY OF
ANTIOCH and ANTIOCH POLICE
DEPARTMENT

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CITY OF ANTIOCH ADMIN

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SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: City Of Antioch, Ca
(**AVISO AL DEMANDADO:**)

YOU ARE BEING SUED BY PLAINTIFF: Mojukhan Hampton
(**LO ESTÁ DEMANDANDO EL DEMANDANTE:**)

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

FILED
MAY - 1 2007

K. TORRA, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA - MARTINEZ

By _____, Deputy Clerk

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is: Superior Court Of California
(El nombre y dirección de la corte es): County Of Contra Costa
751 Pine St. P.O. Box 911
Martinez, Ca 94553

CASE NUMBER
(Número del Caso): 07-00516

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Mojukhan Hampton F-11328

C.M.C. West Dorm 4 Bed 43up

DATE: MAY - 1 2007

(Fecha) San Luis Obispo, Ca 93409

Clerk, by _____, Deputy
(Secretario) CLERK OF THE SUPERIOR COURT (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

- ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

- ☐ by personal delivery on (date):

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CITY OF ANTIOCH ADMN

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COPY**FILED**

MAR - 9 2007

K. TORRE, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA - MARTINEZBy _____, Deputy **AVILA**

-----SUPERIOR COURT, COUNTY OF CONTRA COSTA-----

C 07.00516

Claim Of Hampton, Mojukhan)

against)

City Of Antioch)

Antioch Police Dept.)Does: Police Officers 1-3PER LOCAL RULE 5 THIS
CASE IS ASSIGNED TO
DEPT _____ **30**

To City Of Antioch of Antioch Police Dept.:

1. Claimant, Mojukhan Hampton, whose address is C.M.C. West Dorm 4 Bed 43, P.O. Box 8103, claims damages from Antioch P.D. in \$_____ /an amount that exceeds \$10,000 for False Imprisonment to claimant's personal property, namely

2. Jurisdiction over this claim would rest in Superior Court.

3. This claim is based on (False Imprisonment), See Bottom of 3 from 2604 Princeton Ln. Antioch, Ca to Contra Costa County Jail. I was held for (30) Thirty days without seeing anyone, or arraignment, April 2005, _____ and released. (Another case same parties) 3 days later I was back in custody in Alameda, Ca (Santa Rita Co. Jail) who contracts all legal request and legal work out to (LEGAL RESEARCH ASSOCIATES). I was advised by them to submit my claim to Gov. Claims Form California Victim Compensation and Gov. Claims Board Sacramento, Ca 95812-3035. This was incorrect and misadvised by the legal Aid Society. The proper agency for filing the claim would have been the City Of Antioch Claims Division. I was held without due process under the following circumstances: Emotional distress, injury to reputation, fear injury to physical and mental health.

4. Claimant does not know the names of the public employees who caused claimants injury/damage/loss. The public employees who caused claimants injury/ damage/loss are: _____

5. The injury sustained by Claimant consists of Loss of Job, Personnal property, etc.

6. The injury expected to be incurred in the future includes unknown.

7. All notices and communications concerning this claim should be sent to Claimant Mojukhan Hampton F-11328 P.O. Box 8103 San Luis Obispo, Ca 93409

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CITY OF ANTIOCH ADMN

PAGE 05/07

February 14, 2007

Mojukhan Hampton
COPY

Mojukhan Hampton
In Pro Per

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1 I, Jan Taheny declare that:

2 I am employed in the County of San Francisco, California; I am over the age of eighteen years
3 and not a party to the within cause; and my business address is 2749 Hyde Street, San Francisco,
4 California 94109.

5 I am readily familiar with the practice of Bertrand, Fox, & Elliot for the processing of
6 correspondence, said practice being that in the ordinary course of business, correspondence is
7 deposited in the United States Postal Service the same day as it is placed for processing.

8 On **June 29, 2007**, I served the following document(s):

9 **NOTICE OF REMOVAL OF CONTRA COSTA COUNTY SUPERIOR COURT ACTION**
10 **NO. C07-00516 UNDER U.S.C. 1441(B) [Federal Question]**

11 in said cause, on the following interested parties:

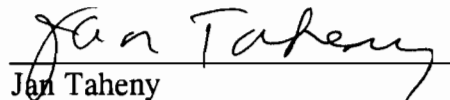
12 Mojukhan Hampton
13 C.M.C. West U-3-32-04-L
14 P.O. Box 8103
San Luis Obispo, CA 93403-8103

Plaintiff in Pro Se

15 Said service was performed in the following manner:

16
17 **(X) BY U.S. POSTAL SERVICE (Mail):** I placed each such document in a sealed envelope
18 addressed at noted above, with first-class mail postage thereon fully prepaid, for collection and
mailing at San Francisco, California, following the above-stated business practice, on this date.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed **June 29, 2007**, at San Francisco, California.

21 
22 Jan Taheny